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Attorneys for Defendant

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

LINDA M. CETERA,
 Plaintiff,

MICHAEL J. ASTRUE,
 Commissioner of Social Security,
 Defendant.

CIVIL NO. 5:09-00734 PVT
 STIPULATION AND ORDER

The parties hereby stipulate through counsel, with the Court's approval as indicated by issuance of the attached Order, that Defendant shall have an extension of time of 35 days, up to and including March 12, 2010, to file his motion for summary judgment. This request is being made because the attorney assigned to the case is on extended medical leave but is expected to return to the office in late February.

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The parties further stipulate that the Court's Scheduling Order shall be modified accordingly.

Respectfully submitted,

Dated: January 21, 2010

/s/ James Hunt Miller
(As authorized via e-mail)
JAMES HUNT MILLER

Attorney for Plaintiff

JOSEPH P. RUSSONIELLO
United States Attorney
LUCILLE GONZALES MEIS
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Dated: January 21, 2010

/s/ Brenda M. Pullin
BRENDA M. PULLIN
on behalf of THEOPHOUS P. REAGANS
Special Assistant United States Attorney

Attorneys for Defendant

ORDER

APPROVED AND SO ORDERED.

Dated: January 22, 2010


PATRICIA V. TRUMBULL
UNITED STATES MAGISTRATE JUDGE